

REMARKS

In the Office Action of September 8, 2005, the Examiner rejected claims 1-11, all pending claims, as being anticipated or obvious in view of US 6,669,210 (Chen). These rejections are respectfully traversed.

Claim 1 recites a tongue fastened to the cap-like shoe tip. This feature is described in paragraph [0004], among other places. This feature adds to the comfort of an adjustable shoe, as the tongue automatically is adjusted with the shoe tip. In the rejection, the Examiner stated that the tongue is fastened to the cap-like shoe tip and can be adjusted and referred to element 28. Element 28 of Chen is the fastening members, such as the laces. There is no disclosure regarding the tongue of the shoe. Therefore, claims 1-11 are allowable.

New claim 12 discloses a counter-catch on the shoe tip or sole section of the shoe tip and a locking element having at least one catch counteracting with the counter-catch, slidable in the chassis against the force of a reset spring in an axial direction perpendicular to the shoe body of longitudinal direction. There is a shoe tip locking position in which the catch on the locking element engages the counter-catch and a shoe tip release position in which the catch disengages from the counter-catch.

Chen discloses a locking means formed by a plurality of teeth on a perimeter wall of the chassis and by counter-catches 52a and 52b on flanges 48a, 48b, which may be pressed against the perimeter wall by the locking screw. The locking mechanism described in claim 12 and further defined in dependent claims 13-20, are not disclosed in the prior art and are also allowable.

A one month extension of time accompanies this response. If any additional fees are due and owing, the Commissioner is authorized to charge Deposit Account No. 08-2455.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Christopher J. McDonald", written over a horizontal line.

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